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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,340	07/10/2000	Michael Rogerson	12194-1/JWE	9761

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EXAMINER

HOYE, MICHAEL W

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.		Applicant(s)	
	09/613,340		ROGERSON, MICHAEL	
	Examiner		Art Unit	
	Michael W. Hoyer		2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/21/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Preliminary Note

1. The previous Examiner of record, Johnny Ma, is no longer assigned to this application. Another Examiner, Michael Hoyer, has now been assigned to this application and the current contact information is provided at the end of this Office Action.

Response to Arguments

2. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5 and 7-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Galipeau et al (USPN 6,249,913).

As to claim 1, note the Galipeau et al reference which discloses a multi media communication network for a passenger vehicle (see the aircraft data management system as described in the Abstract). The claimed "plurality of display devices, each device including at

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least a control processor, a local memory storage area and a display” is met by the aircraft multi media communication network/system having nodes comprising a display, memory and processor (see Fig 12, personal computer 226 and col. 11, lines 55+). The claimed “local area network (LAN) including a wiring harness, the harness interconnecting each of the plurality of display devices” is met by seat-to-seat cable 20, and a central portion that is, preferably, an IEEE-1394 data bus 22, although other wide bandwidth communication cables may also be used (see Figs. 1-3, 9b and col. 4, lines 31-34), wherein “an on-aircraft data server stores and compresses digital audio and video streams, retrieves the video and audio data, merges it into a continuous stream...delivers it seamlessly to the in-flight distribution network. Operating much like a conventional local area network (LAN)” (see col. 1, lines 58-65). The claimed “wherein each of the plurality of display devices is configured to include a server device portion and a client device portion, each of the plurality of display device cooperating over the local area network so as to define a distributed server local area network architecture” is met by the client-server relationships among the personal computers 226 (individual passenger seat locations) and the two way communication and data transmission from the individual passenger seat locations and the head end controller that may contain an internet server (see col. 5, lines 25-40; col. 6, line 64 – col. 7, line 27; col. 8, lines 44-46; col. 9, lines 26-31; and col. 11, line 48 – col. 31).

As to claim 2, the claimed “wherein each of the plurality of display devices defines a network node of the distributed server local area network architecture” is met by the rejection of claim 1 as described above, where each of the plurality of display devices (226/individual passenger seat locations) defines a network node of the distributed server LAN (also see Fig. 3 and col. 8, lines 49-61).

As to claim 3, as noted above, the nodes of the distributed network act as servers in the distributed server network architecture. Galipeau et al. particularly discloses the serving of multiple applications and data from multiple sources (see Fig. 12 (192), (198), and col. 2, line 59).

As to claim 4, as noted above, the nodes of the network serve multiple applications and data, which includes email, Web content, video, and telephony, as claimed.

As to claim 5, note the Galipeau et al reference which discloses a modular multi media communication network for a passenger vehicle or an aircraft data management system. The claimed “plurality of display devices, each display device disposed in a location separate from other ones of the plurality of display devices, each display device including at least a control processor, a local memory storage area and a graphical display screen” is met by locationally separate nodes (see Fig. 1 (18)) comprising display, memory and processor (see Fig. 12 (226) and col. 11, lines 55+) as well as the seat-to-seat cables 20 and data bus 22 (see Figs. 1 and 9b and col. 4, lines 31-34). The claimed “LAN signal bus interconnecting each of the plurality of display devices wherein each of the plurality of display devices cooperating over the local area network define a distributed server LAN architecture” is met by seat-to-seat cable 20, and a central portion that is, preferably, an IEEE-1394 data bus 22, although other wide bandwidth communication cables may also be used (see Figs. 1-3, 9b and col. 4, lines 31-34), wherein “an on-aircraft data server stores and compresses digital audio and video streams, retrieves the video and audio data, merges it into a continuous stream...delivers it seamlessly to the in-flight distribution network. Operating much like a conventional local area network (LAN)” (see col. 1, lines 58-65). The claimed “communication management unit, coupled to the network signal bus,

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the communication management unit further coupled to multiple bi-directional communication interface devices, each communication interface device effecting real-time communication with a different one of a multiplicity of substantially incompatible signal sources” is met by network controller 186, aircraft systems 198, and off aircraft communication 188 (see Fig. 9a), and by the client-server relationships among the personal computers 226 (individual passenger seat locations) and the two way communication and data transmission from the individual passenger seat locations and the head end controller that may contain an internet server (see col. 5, lines 25-40; col. 6, line 64 – col. 7, line 27; col. 8, lines 44-46; col. 9, lines 26-31; and col. 11, line 48 – col. 31).

As to claim 7, note the Galipeau et al reference which discloses an aircraft multimedia communication system. The claimed “plurality of display devices, each display device disposed in a location separate from other ones of the plurality of display devices, each display device including at least a control processor, a local memory storage area and a graphical display screen” is met by locationally separate nodes (see Fig.1) comprising display, memory and processor (see Fig.12, personal computer 226 and col. 11, lines 55+) as well as the seat-to-seat cables 20 and data bus 22 (see Figs. 1 and 9b and col. 4, lines 31-34). The claimed “LAN signal bus interconnecting each of the plurality of display devices” is met by the seat-to-seat cables 20 and data bus 22 (see Figs. 1 and 9b and col. 4, lines 31-34), wherein “...on-aircraft data server stores and compresses digital audio and video streams, retrieves the video and audio data, merges it into a continuous stream...delivers it seamlessly to the in-flight distribution network. Operating much like a conventional local area network (LAN)” (see col. 1, lines 58-65). The claimed “communication management unit, coupled to the network signal bus, the

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communication management unit further coupled to multiple bi-directional communication interface devices, such communication interface device effecting real-time communication with a different one of a multiplicity of substantially incompatible signal sources; and wherein each of the plurality of display devices is configured to function as a network server, each of the plurality of display devices cooperating over the LAN signal bus so as to define a distributed server local area network architecture” is met by network controller 186, aircraft systems 198, and off aircraft communication 188 (see Fig. 9a), and by the client-server relationships among the personal computers 226 (individual passenger seat locations) and the two way communication and data transmission from the individual passenger seat locations and the head end controller that may contain an internet server (see col. 5, lines 25-40; col. 6, line 64 – col. 7, line 27; col. 8, lines 44-46; col. 9, lines 26-31; and col. 11, line 48 – col. 31).

As to claim 8, see rejection of claim 7.

As to claim 9, as noted above, the nodes of the distributed network act as servers in the distributed server network architecture. Galipeau et al. particularly discloses the serving of multiple applications and data from multiple sources (see Fig. 12 (192), (198), and col. 2, lines 53-65).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau et al (US 6,249,913), in view of Hadinger (US 6,512,921).

As to claim 6, the claimed “first satellite constellation, providing a first type of content” is met by “satellite constellation providing content 242 (see Fig. 12 and col. 12, lines 57-63). The claimed “broadband bi-directional VHF communication medium” is met by the system illustrated in Figure 12. However, the Galipeau et al. reference is silent as to “a second constellation providing a second type of content”. The Hadinger reference discloses satellite multimedia delivery to vehicles including aircraft (30). The claimed “second satellite constellation providing a second type of content” is met by multiple satellites delivering distinct content (see Fig. 2 and col. 1, lines 18-32) for the purpose of receiving various types of data in a vehicle. Therefore, the Examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the multi media communication network of Galipeau et al, which includes a first satellite constellation for providing a first type of content, with the Hadinger reference, which teaches the use of multiple satellite content sources for the advantages of obtaining content from multiple different satellite sources, as well as for providing an enhanced degree of variability and economy.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael W. Hoye whose telephone number is **571-272-7346**. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at **571-272-7353**.

Any response to this action should be mailed to:

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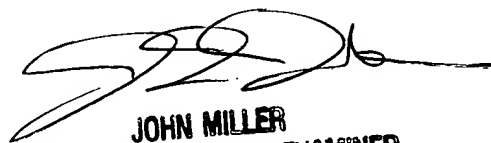
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is **571-272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael W. Hoyer
February 14, 2007



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600